

that the DNC could “sell and represent our donors [in dealings with the White House and other DNC divisions] as supporters that represent more than contributions.”²⁶²

Finance staffers formulated these proposals in response to admittedly frequent requests from contributors for assistance in obtaining meetings on Capitol Hill or with Administration officials, but the proposals conflicted with existing DNC policies and were not adopted. Those policies existed in the form of a written set of “Legal Guidelines for Fund-raising,” promulgated since at least December 1993 by the DNC general counsel, which admonished the finance staff, among other things, that:

[S]pecial care must be taken to avoid giving any donor the impression that he or she will enjoy any special access to or favor from any Administration official or agency, whether in connection with [a DNC fund-raising event] or elsewhere.

In no event should any DNC staff ever promise a meeting with or access to any government official or agency in connection with a donation, or ever imply that such contact or access can be arranged, or ever contact an Administration official on behalf of a donor for any reason.²⁶³

(Emphasis in original.) DNC General Counsel Joseph Sandler stated these guidelines were designed to provide guidance on what contact between DNC Finance and the Administration was deemed appropriate. In this regard it is important to note that the guidelines do not cite any criminal prohibitions on the conduct they proscribe, and do not purport to track the limits of criminal statutes; rather, they seem to reflect the DNC’s own perception of appropriate ethical

²⁶²See n. 260, *supra*. Mercer was a co-author of this document, which also suggested that “each agency and White House department should have a list of supporters and a staff person identified and devoted to handle matters related to reaching out to our donors.”

²⁶³Memorandum from Joe Sandler and Neil Reiff to Finance Staff, Dec. 15, 1993, at 8.